

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

V.

DAVID MICHAEL NAVARRO,

Defendant.

CASE NO. CR13-5525BHS

## ORDER

This matter comes before the Court on the Defendant's unopposed motion for a

continuance of the trial date and a new pretrial motions due date. The Court, having considered the motion, the Defendant's speedy trial waiver and being familiar with the entire file makes the following findings of fact and conclusions of law:

1. Defense counsel was recently appointed on March 5, 2014, and needs additional time to receive and review discovery and to meet with Mr. Navarro to discuss the same in order to effectively prepare pretrial motions.

2. The defense needs additional time to explore all relevant issues and defenses applicable to the case, which would make it unreasonable to expect adequate preparation for pretrial proceedings or for trial itself within the time limits established by the Speedy Trial Act and currently set for this case. 18 U.S.C. § 3161(h)(7)(B)(ii).

3. Taking into account the exercise of due diligence, a continuance is necessary to allow the defendant the reasonable time for effective preparation his defense, to explore resolution of

1 this case before trial and to substantially ensure continuity of defense counsel. 18 U.S.C. §  
2 3161(h)(7)(B)(iv).

3 4. Proceeding to trial absent adequate time for the defense to prepare would result in a  
4 miscarriage of justice. 18 U.S.C. §3161(h)(7)(B)(i).

5 5. The ends of justice served by granting this continuance outweigh the best interests of  
6 the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A) and (B).

7 6. Defendant waived speedy trial through June 30, 2014.

8 NOW, THEREFORE, IT IS HEREBY ORDERED

9 That the trial date is continued from April 8, 2014, to June 10, 2014, at 9:00 a.m. Pretrial  
10 Conference is set for June 2, 2014, at 11:00 a.m. Pretrial motions are due by April 23, 2014.  
11 The resulting period of delay from March 13, 2014, to June 10, 2014, is hereby excluded for  
12 speedy trial purposes under 18 U.S.C. § 3161(h)(7)(A) and (B)

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14 Dated this 17<sup>th</sup> day of March, 2014.

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17 BENJAMIN H. SETTLE  
18 United States District Judge  
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